

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1309 FAX RECEIVED

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OFFICE OF PETITIONS

Applicants: Ikuo URATANI, et al

Serial No.: 10/769,784

Filed : February 3, 2004

For: DISK ARRAY APPARATUS, AND METHOD FOR AVOIDING
DATA CORRUPTION BY SIMULTANEOUS ACCESS BY LOCAL
AND REMOTE HOST DEVICE

Group: 2186

Examiner: H. Patel

**PETITION TO WITHDRAW FROM ISSUE
UNDER 37 CFR 1.313(C)(2)**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 27, 2006

Sir:

Applicants are in receipt of the Notice of Allowance dated October 17, 2006 for which the Issue Fee was paid on December 5, 2006 for the above-referenced application.

However, in accordance with 37 CFR § 1.313(c)(2) Applicants respectfully request that the present application be withdrawn from issue in favor of a Request for Continued Examination (RCE) so as to consider an Information Disclosure Statement and the references cited therein being filed with the RCE on even date.

12/28/2006 AKELLEY 00000004 10769784

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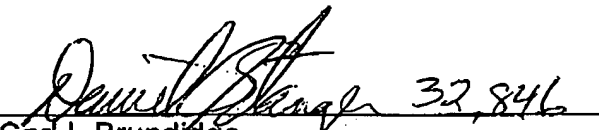
130.00 DP

The Petitions Office is hereby authorized to charge any and all fees due in connection with the filing of these papers including Petitions fees, Application filing fees, Extension of Time fees, etc., to the account of Mattingly, Stanger, Malur & Brundidge, P.C., Account No. 50-1417 so as to expedite this matter (Case No. 1309.43471X00).

Respectfully submitted,

Mattingly, Stanger, Malur & Brundidge, P.C.

CIB/nac
703/684-1120


Carl I. Brundidge
Registration No. 29,621

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

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Date: December 27, 2006

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AND COPYRIGHT LAW

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FACSIMILE COVER LETTER

Facsimile Number: 1(571) 273-0025

To: **OFFICE OF PETITIONS**

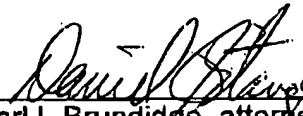
From: Mr. Carl I. Brundidge
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

Re: U.S. Serial No.: 10/769,784
Attorney Docket No.: 1309.43471X00

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following listed documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Petition to Withdraw from Issue under 37 CFR 1.313(c)(2);
Request for RCE Transmittal in duplicate;
Information Disclosure Statement with Form PTO-1449 and references cited therein;
Credit Card Payment Form in the amount of \$920.00


Carl I. Brundidge, attorney.
Reg. No. 29,621

December 27, 2006

Date

Total Number of Pages (including cover sheet): 26

If the facsimile you receive is incomplete or illegible, please CALL (703) 684-1120.
Thank you.